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Record Votes: Four record votes were taken today. (Total—163)	Pages S8592–93, S8595, and S8622)

Adjournment: Senate met at 9:30 a.m., and, in accordance with the provisions of H. Con. Res. 479, adjourned at 11:46 p.m., until 12 noon, on Tuesday, September 7, 2004. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S8807.)

Committee Meetings

(Committees not listed did not meet)

APPALACHIAN COUNCIL/WORKING FOR AMERICA INSTITUTE

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies concluded a hearing to examine contract renewal issues relative to the Appalachian Council and future funding issues relative to the Working for America Institute, focusing on vocational training, job placement and career transition services to Job Corps students and graduates, after receiving testimony from Thomas M. Dowd, Deputy Assistant Secretary of Labor for Employment and Training Administration; Mayor Bobby Baker, Batesville, Mississippi; Richard C. Trigg, Job Corps, and Nancy Mills, Working for America Institute, both of Washington, D.C.; Jim Bowen, West Virginia AFL–CIO, Gary Darlington and Herb Mabry, both of the Appalachian Council, all of Charleston, West Virginia; Bill George, Pennsylvania AFL–CIO, Harrisburg; and William Burga, Ohio AFL–CIO, Columbus.

ARMY INSPECTOR GENERAL REPORT

Committee on Armed Services: Committee concluded a hearing to examine the Department of the Army Inspector General Report on detention operation doctrine and training, after receiving testimony from Les

Brownlee, Acting Secretary of the Army; General Peter J. Schoomaker, USA, Chief of Staff of the Army; Lieutenant General Paul T. Mikolashek, USA, Inspector General of the Army; and Lieutenant General Keith B. Alexander, USA, Deputy Chief of Staff, G–2.

SEC PROPOSED RULEMAKING

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the proposed Regulation NMS (National Market System) relative to trade-throughs, intermarket access, sub-penny pricing, and market data, and market structure developments, after receiving testimony from Davi M. D'Agostino, Director, Financial Markets and Community Investments, Government Accountability Office; David Colker, National Stock Exchange, Chicago, Illinois; Kevin Cronin, AIM Investments, Houston, Texas; Scott DeSano, Fidelity Investments, Boston, Massachusetts; Phylis M. Esposito, Ameritrade Holding Corporation, Omaha, Nebraska; Charles Leven, AARP, Washington, D.C.; and Bernard L. Madoff, Bernard L. Madoff Investment Securities, Robert H. McCooey Jr., Griswold Company, Inc., Kim Bang, Bloomberg Tradebook, LLC, Robert B. Fagenson, Van der Moolen Specialists, John C. Giesea, Security Traders Association, all of New York, New York.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following business items:

S. 2295, to authorize appropriations for the Homeland Security Department's Directorate of Science and Technology, establish a program for the use of advanced technology to meet homeland security needs;

H.R. 2608, to reauthorize the National Earthquake Hazards Reduction Program;

S. 2603, to amend section 227 of the Communications Act of 1934 (47 U.S.C. 227) relating to the prohibition on junk fax transmissions;

S. 2644, to amend the Communications Act of 1934 with respect to the carriage of direct broadcast satellite television signals by satellite carriers to consumers in rural areas, with an amendment in the nature of a substitute;

S. 2281, to provide a clear and unambiguous structure for the jurisdictional and regulatory treatment for the offering or provision of voice-over-Internet-protocol applications, with an amendment in the nature of a substitute;

S. 2505, to implement the recommendations of the Federal Communications Commission report to the Congress regarding low power FM service, with an amendment;

S. 2645, to amend the Communications Act of 1934 to authorize appropriations for the Corporation for Public Broadcasting;

S. 2488, to establish a program within the National Oceanic and Atmospheric Administration and the United States Coast Guard to help identify, assess, reduce, and prevent marine debris and its adverse impacts on the marine environment and navigation safety, in coordination with non-Federal entities;

S. 2280, to establish a coordinated national ocean exploration program within the National Oceanic and Atmospheric Administration; and

The nominations of David M. Stone, of Virginia, to be an Assistant Secretary of Homeland Security (Transportation Security Administration), Albert A. Frink, Jr., of California, to be Assistant Secretary of Commerce for Legislative and Intergovernmental Affairs, Brett T. Palmer, of New York, to be an Assistant Secretary of Commerce, Benjamin H. Wu, of Maryland, to be Assistant Secretary of Commerce for Technology Policy, Scott Kevin Walker, of Wisconsin, to be a Member of the Advisory Board of the Saint Lawrence Seaway Development Corporation, Enrique J. Sosa, of Florida, to be a Member of the Reform Board (Amtrak), Captain Richard R. Behn, NOAA, for appointment to the grade of Rear Admiral (O-7), while serving in a position of importance and responsibility as Director, Marine and Aviation Operations Centers, National Oceanic and Atmospheric Administration, and Captain Samuel P. De Bow, Jr., NOAA, for appointment to the grade of Rear Admiral (O-8), while serving in a position of importance and responsibility as Director, NOAA Corps and Director, Office of Marine and Aviation Operations, National Oceanic and Atmospheric Administration, and sundry nominations for promotion in the National Oceanic and Atmospheric Administration and the U.S. Coast Guard.

SATURN

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the Cassini-Huygens mission to Saturn, focusing on the planet's rings, and its moon Titan, after receiving testimony from Orlando Figueroa, Solar System Exploration Division Director, Office of Space Science, and Denis Bogan, Scientist, and Mark Dahl, Executive, both of the Cassini Program, all of the National Aeronautics and Space Administration.

NATIONAL PARKS AIR TOUR MANAGEMENT ACT

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded an oversight hearing to examine the implementation of the National Parks Air Tour Management Act of 2000

(Title VIII, Public Law 106-181), after receiving testimony from William C. Withycombe, Regional Administrator (Western Pacific Region), Federal Aviation Administration, Department of Transportation; Paul Hoffman, Deputy Assistant Secretary of the Interior for Fish and Wildlife and Parks; Roy Resavage, Helicopter Association International, Alexandria, Virginia; David J. Chevalier, Blue Hawaiian Helicopters, Kahului, Hawaii; Charles W. Maynard, Friends of Great Smoky Mountains National Park, Jonesboro, Tennessee; and Don Barger, National Parks Conservation Association (Southeast Region), Knoxville, Tennessee.

HIGHER EDUCATION FINANCING

Committee on Finance: Committee held a hearing to examine the role of higher education financing in strengthening United States competitiveness in a global economy, receiving testimony from Randall Edwards, Oregon State Treasurer, Salem; Susan Dynarski, Harvard University Kennedy School of Government, Cambridge, Massachusetts; Peter B. Corr, Pfizer, New York, New York; Watson Scott Swail, Education Policy Institute, Stafford, Virginia; Robert Paxton, Iowa Central Community College, Fort Dodge; David Forbes, University of Montana School of Pharmacy, Missoula; Chuck Toth, Merrill Lynch and Company, Princeton, New Jersey; and James Fadule, UPromise Investments, Needham, Massachusetts.

Hearing recessed subject to the call.

IRAQ—POST-TRANSITION

Committee on Foreign Relations: Committee concluded a hearing to examine the current situation in Iraq post-transition, focusing on U.S. activities in Iraq since the transfer of sovereignty to the new Interim Iraqi Government, including increasing security in Iraq, improving the economy, affirming the place of Iraq as a member of the international community, and laying the groundwork for national elections in Iraq, after receiving testimony from Ronald L. Schlicher, Iraq Coordinator, Bureau of Near Eastern Affairs, Department of State; and David C. Gompert, National Defense University Center for Technology and National Security Policy, Washington, D.C.

INTERNET PHARMACIES

Committee on Governmental Affairs: Permanent Subcommittee on Investigations resumed hearings to examine the extent to which consumers can purchase pharmaceuticals over the Internet without a medical prescription, the importation of pharmaceuticals into the United States, and whether pharmaceuticals from foreign sources are counterfeit, expired, unsafe, or illegitimate, focusing on the extent to which U.S.

consumers can purchase dangerous and often addictive controlled substances from Internet pharmacy websites and the procedures utilized by the Bureau of Customs and Border Protection, the Drug Enforcement Administration, the United States Postal Service, and the Food and Drug Administration, as well as the private sector to address these issues, after receiving testimony from Richard M. Stana, Director, Homeland Security and Justice Issues, Government Accountability Office; Karen P. Tandy, Administrator, Drug Enforcement Administration, Department of Justice; Lee R. Heath, Chief Postal Inspector, United States Postal Service; Jayson P. Ahern, Assistant Commissioner, Office of Field Operations, Bureau of Customs and Border Protection, Department of Homeland Security; John M. Taylor, III, Associate Commissioner for Regulatory Affairs, and William K. Hubbard, Associate Commissioner for Policy and Planning, both of the Food and Drug Administration, Department of Health and Human Services; John Scheibel, Yahoo! Inc., Washington, D.C.; Sheryl Sandberg, Google, Inc., Mountain View, California; Joshua L. Peirez, Mastercard International Incorporated, Purchase, New York; Steve Ruwe, Visa U.S.A. Inc., Foster City, California; Robert A. Bryden, FedEx Corporation, Memphis, Tennessee; and Daniel J. Silva, United Parcel Service, Atlanta, Georgia.

NOMINATION

Committee on Governmental Affairs: Committee concluded a hearing examine the nomination of Allen Weinstein, of Maryland, to be Archivist of the United States, National Archives and Records Administration, after the nominee, who was introduced by Senator Lugar, testified and answered questions in his own behalf.

MILITARY FAMILIES

Committee on Health, Education, Labor, and Pensions: On Wednesday, July 21, Subcommittee on Children and Families held a joint hearing with the Committee on Armed Services' Subcommittee on Personnel to examine how states have responded to military families' unique challenges during military deployments and what the Federal Government can do to support states in this important work, receiving testimony from Charles S. Abell, Principal Deputy Under Secretary of Defense for Personnel and Readiness; Florida Governor John Ellis Bush, Tallahassee; Indiana Governor Joseph E. Kernan, Indianapolis; Nolan Jones, National Governors Association, Washington, D.C.; General Dennis J. Reimer, USA, (Ret.), Edmond, Oklahoma, on behalf of the Military Child Education Coalition; and Hollister K. Petraeus, Fort Belvoir, Virginia.

Hearing recessed subject to the call.

TERRORISM PREPAREDNESS

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine preparations for possible future terrorist attacks, focusing on a concept of operations plan, tailored to each National Special Security Event, which establishes a framework for managing federal public health and medical assets and coordinating with state and local governments in an emergency, after receiving testimony from Tommy G. Thompson, Secretary of Health and Human Services; Eric Tolbert, Director, Response Division, Federal Emergency Management Agency, and Andrew T. Mitchell, Deputy Director, Office for Domestic Preparedness, both of the Department of Homeland Security; Susan C. Waltman, Greater New York Hospital Association, New York; Michael Sellitto, District of Columbia Fire and Emergency Medical Services Department, Washington, D.C.; Ricardo Martinez, Medical Sports Group, Atlanta, Georgia, on behalf of the National Football League; and George E. Thibault, Partners Healthcare, Boston, Massachusetts.

BUSINESS MEETING

Committee on the Judiciary: Committee began mark up of S. 1700, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, but did not take final action thereon, and recessed subject to call.

COPYRIGHT PROTECTION

Committee on the Judiciary: Committee concluded a hearing to examine S. 2560, to amend chapter 5 of title 17, United States Code, relating to inducement of copyright infringement, after receiving testimony from Marybeth Peters, Register of Copyrights, U.S. Copyright Office, Library of Congress; Gary J. Shapiro, Consumer Electronics Association, Arlington, Virginia; Robert Holleyman, Business Software Alliance, Kevin S. McGuiness, NetCoalition, and Mitch Bainwol, Recording Industry Association of America, Washington, D.C.; and Andrew C. Greenberg, Institute of Electrical and Electronics Engineers-USA, New York, New York.

INTELLIGENCE

Committee recessed subject to call.

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

House of Representatives

Chamber Action

Measures Introduced: 10 public bills, H.R. 4892–5001; 3 private bills, H.R. 5002–5004; and 23 resolutions, H.J. Res. 101; H. Con. Res. 477–485, and H. Res. 741–753 were introduced.

Pages H6700–06**Additional Cosponsors:****Pages H6706–07**

Reports Filed: Reports were filed today as follows:

H. Res. 699, directing the Secretary of State to transmit to the House of Representatives documents in the possession of the Secretary of State relating to the treatment of prisoners and detainees in Iraq, Afghanistan, and Guantanamo Bay, amended, adversely (H. Rept. 108–631);

H. Res. 689, a resolution of inquiry requesting the President and directing certain other Federal officials to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents in the possession of the President and those officials relating to the treatment of prisoners or detainees in Iraq, Afghanistan, or Guantanamo Bay, amended, adversely (H. Rept. 108–632);

Report on the Revised Suballocation of Budget Allocations for Fiscal Year 2005 (H. Rept. 108–633); and

H.R. 4501, to extend the statutory license for secondary transmissions under section 119 of title 17, United States Code, and to amend the Communications Act of 1934 with respect to such transmissions (H. Rept. 108–634).

Page H6700

Marriage Protection Act of 2003: The House passed H.R. 3313, to amend title 28, United States Code, to limit Federal court jurisdiction over questions under the Defense of Marriage Act, by a yeas-and-nays vote of 233 yeas to 194 nays, Roll No. 410.

Pages H6580–H6613

Agreed to the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill.

Page H6580

H. Res. 734, the rule providing for consideration of the bill was agreed to by a voice vote.

Pages H6562–69

United States-Morocco Free Trade Implementation Act: The House passed H.R. 4842, to implement the United States-Morocco Free Trade Agreement, by a yeas-and-nays vote of 323 yeas to 99 nays, Roll No. 413.

Pages H6615–50

Agreed to extend time for debate on the bill.

Page H6621

H. Res. 738, the rule providing for consideration of the bill was agreed to by a yeas-and-nays vote of 345 yeas to 76 nays, Roll No. 407.

Pages H6569–79

Department of Defense Appropriations Act for FY05—Conference Report: The House agreed to the conference report to accompany H.R. 4613, making appropriations for the Department of Defense for the fiscal year ending September 30, 2005, by a yeas-and-nays vote of 410 yeas to 12 nays, Roll No. 418.

Pages H6675–76

H. Res. 735, the rule providing for consideration of the conference report was agreed to by a voice vote.

Pages H6652–60

Military Construction Appropriations Act for FY05: The House passed H.R. 4837, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2005, by a yeas-and-nays vote of 420 yeas to 1 nay, Roll No. 417. The bill was also considered on Wednesday, July 21.

Pages H6660–75

A point of order was sustained against the Obey motion to recommit the bill back to the Committee on Appropriations with instructions to report it back to the House forthwith with an amendment.

Page H6673

Rejected the Obey motion to recommit the bill back to the Committee on Appropriations with instructions to report it back to the House promptly with an amendment, by a yeas-and-nays vote of 201 yeas to 217 nays, Roll No. 416.

Pages H6673–75

Point of Order sustained against:

Section 129 of the bill regarding an increase in funds that is not subject to scoring for purposes of the Congressional Budget and Impoundment Control Act of 1974.

Page H6667